



Room 301, Hall of Records
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Board of Supervisors Agenda

Chairman

Juan Arambula
3rd District

Vice Chairman

Susan B. Anderson
2nd District

Phil Larson
1st District

Bart Bohn
County Admin. Officer

Judith G. Case
4th District

Phillip S. Cronin
County Counsel

Bob Waterston
5th District

Bernice E. Seidel
Clerk

ACTION SUMMARY MINUTES

TUESDAY

SEPTEMBER 9, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

NOTE: Any item that is pulled from the morning consent agenda for discussion will be set aside until the department can be notified and its representative is in the board room.

1. Morning Consent Agenda – Item Numbers 14 - 33

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

LAnCWA

APPROVED AS RECOMMENDED

Administrative Office

2. Proclaim September 7 through 13, 2003, as 4-H Club Week

AnLCWA

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-436

3. Adopt resolution in support of Assembly Bill 936

AnCLWA

APPROVED AS RECOMMENDED

4. Approve resolution authorizing the Greater Area Fresno Chamber of Commerce to use the Fresno County seal in the construction of two "Welcome to Fresno County" gateway monuments, including the waiving of County fees

CLAnWA

APPROVED AS RECOMMENDED

5. Approve implementation of a timeline and action plan to establish a Public Safety Citizens Advisory Committee, including its composition and functions

WLAAnCA

APPROVED AS RECOMMENDED

6. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

RECEIVED

7. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

ALCOHOL & DRUG ADVISORY BOARD

APPOINTED GERALD DEVOLI TO REPLACE BEATRICE BAYLON

APPOINTED ANTHONY ANDERSON TO REPLACE JOSE LOPEZ

HUMAN RESOURCES ADVISORY BOARD

APPOINTED VONGSAVANH MOUANOUTOUA TO REPLACE BARBARA LENIUS

APPOINTED ROBIN LEPPA TO REPLACE PAUL DEFFEBACH

LAW LIBRARY

REAPPOINTED KATHERINE HART

WORKFORCE INVESTMENT BOARD

REAPPOINTED BOBBY VANG

APPROVED APPOINTMENTS AND REAPPOINTMENTS

AnLCWA

8. **Closed Session** –

- a. Conference with Real Property Negotiators (GC 54956.8)
Property: Acute care hospital, formerly known as Valley Medical Center; ambulatory care clinics (including the children's clinic) and Huntington Hall, all at 445 S. Cedar Avenue
County's Negotiators: Bart Bohn, Vicki Crow, Phillip Cronin
Negotiating Parties: Community Medical Center and County of Fresno
Under Negotiation: Lease of property described above – instructions to County's negotiators concerning leasing price and terms of lease payments
- b. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Ralph Jimenez; Employee Organization: All Bargaining Units and Management and Unrepresented Employees – Hours, Wages and Terms and Conditions of Employment
- c. Conference with Legal Counsel – Significant Exposure to Litigation
Government Code Section 54956.9(b) – No. of Cases: 1

Sitting as the IHSS Public Authority Governing Board

- d. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Ralph Jimenez; Employee Organization: SEIU Local 250 – Hours, Wages and Terms and Conditions of Employment

HELD

NOON RECESS

2:00 P.M.

9. Afternoon Consent Agenda – Item Numbers 34 - 43

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

LAnCWA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NO. 40 WHICH WAS PULLED FOR DISCUSSION

WLAAnCA

CONTINUED ITEM NO. 40 TO SEPTEMBER 16, 2003

Administrative Office

10. Adopt resolution authorizing simultaneous rescission of portion of Agricultural Land Conservation Contract Nos. 2976 and 3873 and enter into new Agricultural Land Conservation Contract Nos. 8146 and 8147

CAnLWA

APPROVED AS RECOMMENDED

11. Approve and direct Department of Public Works and Planning staff to issue five-year notice, pursuant to Section 49520 of Public Resources Code and the requirements of Assembly Bill 939 compliance order local assistance plan

CAnLWA

APPROVED AS RECOMMENDED; DIRECTED STAFF TO EXPLORE FURTHER OPTIONS TO IMPLEMENT CLEANUP EVENTS IN FRESNO COUNTY AND REPORT BACK TO THE BOARD

12. Consider and take action on appeal regarding Planning Commission's approval of Variance Application No. 3757 filed by Gary S. Shuster and Margaret Arechiga proposing to allow six-foot high fence within required front yard setback and within required 10-foot by 10-foot driveway corner cut-off area on 0.39-acre parcel in R-1-B (NB) District on east side of N. Van Ness Boulevard between E. Ashlan and E. Swift Avenues, approximately 1,000 feet west of nearest boundary of City of Fresno

CWAnLA

ACCEPTED APPLICANT'S WITHDRAWAL OF CHALLENGE TO APPELLANT'S STANDING TO MAINTAIN APPEAL

AnCLWA

DENIED APPEAL; TENTATIVELY ADOPTED FINDINGS AND TENTATIVELY APPROVED VARIANCE APPLICATION NO. 3757 WITH CONDITION; CONTINUED TO SEPTEMBER 30, 2003, FOR ADOPTION OF WRITTEN FINDINGS AND FINAL ACTION; DIRECTED STAFF TO WORK WITH PROPERTY OWNERS ASSOCIATIONS TO EXPLORE NEIGHBORHOOD-WIDE APPROACH TO FENCE/WALL ISSUES AND RETURN TO BOARD WITH OPTIONS AS SOON AS POSSIBLE

13. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD

CLAnWA

ADJOURN

NEXT MEETINGS:

September 16, 2003 – 9:00 A.M.

September 30, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

MORNING CONSENT AGENDA – Item Numbers 14 - 33
(Any Board Member may pull any consent item for discussion or separate vote)

LAnCWA

APPROVED AS RECOMMENDED

Supervisor Case

14. Adopt resolution honoring the 90th birthday of Mr. Rex Tyner

Sheriff

15. Adopt resolution increasing FY 2003-04 Sheriff Org. 3110 appropriations and estimated revenue (\$986,163) to purchase replacement computer equipment (4/5 vote)

Administrative Office

16. **Salary Resolution Amendments** (copy of amendments attached in Supervisors' Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
17. Approve and authorize Chairman to execute the Fourth-Year modifications to Fresno County's Strategic Five-year local Workforce Investment Plan for Title 1 of the Workforce Investment Act of 1998 and the Memorandum of Understanding between Fresno Adult School and the Workforce Investment Board
18. Approve addenda to Service Employees International Union – Local 535 (SEIU – Local 535) Memoranda of Understanding regarding the Employee Grievance Resolution Procedure
19. Receive Fresno Council on Child Abuse Prevention's 2002-03 Annual Report
20. Consider and take action on request for determination of public convenience and necessity on application for alcoholic beverage license filed by HSP Lidder, Inc., located at 11946 S. Highland Avenue, Selma
21. Adopt resolution increasing the FY 2003-04 Library Grants Org. 75120865 appropriations and estimated revenues (\$7,500) to purchase a mural and library materials (4/5 vote)
22. Adopt resolutions increasing the FY 2003-04 appropriations and estimated revenue (\$219,930.62) in the Capital Projects Budget and appropriations from available prior year appropriations (\$219,930.62) in the Adult Detention Facilities Construction Budget to complete purchase for satellite jail (4/5 vote)
23. Adopt resolutions increasing the FY 2003-04 appropriations and estimated revenue (\$20,509) in Probation Org. 34329999, to allow for the purchase of one vehicle for the Probation Department's Narcotics Enforcement Team and Internal Service Fund within Fleet Services Org. 8911 (\$20,509) (4/5 vote)
24. Approve and authorize the Chairman to execute Certification Against Supplanting Form and any additional forms required by the California Department of Health Services, Emergency Preparedness Office, to comply with auditing requirements for use of bioterrorism preparedness funding

25. Approve the selection of Burns & McDonnell Engineering Company, Inc., as a qualified Energy Services Company (ESCO) and authorize the County Administrative Office and Department of Public Works and Planning staffs to negotiate a guaranteed performance contract with the selected firm. The ESCo will develop energy conservation measures that will result in energy savings to the County of Fresno, recommend capital improvements to building systems and apply for, on behalf of the County of Fresno, any allowable incentives available through State energy conservation programs; authorize the General Services Division Manager to sign a Letter of Intent with the selected ESCo, which specifies the criteria for the guaranteed performance contract and authorizes a comprehensive energy assessment to determine baselines used to determine savings; and approve, in concept, the placement of a Thermal Energy Storage (TES) facility in the southwest corner of the Main Jail parking lot. The selected ESCo will consider the feasibility of the TES facility and include it as a contract option if the projected savings are significant

Agreements – Approve and Authorize Chairman to Execute

26. Authorize Auditor-Controller/Treasurer-Tax Collector and the General Services Division Manager to jointly purge the Fixed Asset Reserve Ledger for Org. 01300100 – General Services Administration of all fire fighting equipment belonging to the various volunteer fire departments and to jointly discontinue the current practice of leasing and tracking the fire fighting equipment, establish separate organizational accounts for each volunteer fire department, and issue a purchasing card (credit card) to each volunteer fire department with a spending limit matching the appropriation
27. Revenue Agreement with Children’s Hospital of Central California for the provision of specialized Medi-Cal services (\$45,379)
28. Sole source agreement with the Economic Development Corporation serving Fresno County for job creation marketing activities (\$320,000)
29. Retroactive - revenue agreement with the State Emergency Medical Services authority for the acquisition of a Hospital Communications System (\$76,800); State Contractor Certification Clauses; and adopt resolution increasing the Department of Community Health FY 2003-04 Org. 56201691 appropriations and estimated revenue (\$76,800) (4/5 vote)
30. Agreement with the California Department of Food and Agriculture for FY 2003-04 for egg regulatory work (\$5,412.42)
31. Retroactive - revenue agreement with the Regents of the University of California, Office of the President, to assist in implementing the California-Mexico Epidemiological Surveillance Pilot Program (\$46,140)
32. Agreement with the California State Library for the Public Library Services for people with disabilities program funding (\$41,440); and adopt resolution increasing appropriations and estimated revenue for the FY 2003-04 Library Grants Org. 75120250 (\$37,673) (4/5 vote)
33. Amendment to agreement with Functional Industrial Rehabilitation Medical, Inc., and Valley Industrial and Family Medical Group (Valley Industrial) to perform pre-employment, periodic, compulsory and Department of Motor Vehicles medical examinations (\$200,000)

AFTERNOON CONSENT AGENDA – Item Numbers 34 - 43

(Any Board Member may pull any consent item for discussion or separate vote)

LAnCWA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NO. 40 WHICH WAS PULLED FOR DISCUSSION

WLAAnCA

CONTINUED ITEM NO. 40 TO SEPTEMBER 16, 2003

Administrative Office

34. Adopt a resolution authorizing conveyance of 1.68-acre homesite parcel from 24.59-acre parcel of land subject to Agricultural Land Conservation Contract No. 8035
35. Adopt resolution authorizing submittal of application to California State Department of Housing and Community Development for funding under CalHome Program (\$500,000); authorize Director of Department of Public Works and Planning to execute application and related documents necessary for participating in CalHome Program; if selected for funding, authorize Chairman to execute the grant agreement, related documents and any amendments subject to review of County Counsel and Auditor-Controller/Treasurer-Tax Collector
36. Adopt resolution authorizing Auditor-Controller/Treasurer-Tax Collector to loan \$12,000 from General Fund to County Service Area No. 35-B, Org. 9155 (4/5 vote)
37. Approve City of Fresno's request to acquire road right-of-way along Copper Avenue, from Friant Road easterly past Cedar Avenue
38. Accept Grant Deed and approve purchase contract with Denver G. Wood and Tracy D. Wood for land acquisition of .069 acre for monetary consideration of \$1,300; and accept Grant Deed from Raisin City School District for land donation of .18 acre with no monetary consideration
39. Adopt resolutions increasing the FY 2003-04 appropriations and estimated revenue (\$261,177) in the Capital Projects Org. 1910 and appropriations from available prior year appropriations in Courts Facilities Construction Budget Org. 8810 (\$44,906) (4/5 vote); and award Contract No. 03-S-02, Courthouse Exit Modifications and Holding Cell Voice Notification Installation, to low bidder, Industrial Electronic Systems, Inc., 2644 N. Miami, (\$290,249) for work included in the base bid only

Agreements – Approve and Authorize Chairman to Execute

40. Amendment to agreement with Shaver Lake Civic League for construction of launch ramp and parking lot at Shaver Lake

WLAAnCA

CONTINUED TO SEPTEMBER 16, 2003

41. Land Tenure Agreement and construction agreement with Coalinga-Huron Recreation and Park District (\$800,000); and adopt resolution increasing appropriations and estimate revenue for FY 2003-04 Capital Projects-Grant Org. 1912 (\$400,000) for construction of Coalinga Youth Sports Complex (4/5 vote)

42. Authorize Director of Department of Public Works and Planning to terminate current agreement with Central Sierra Historical Society for construction of museum and educational center in Shaver Lake; execute new agreement with Central Sierra Historical Society for construction of museum and educational center in Shaver Lake; approve Budget Transfer No. 10 for Capital Projects – Grants Org. 1912 (\$597,352) for construction of Central Sierra Museum and Educational Center; and approve request by Central Sierra Historical Society (\$891,635) from anticipated Proposition 40 Roberti-Z' Berg-Harris Urban Open Space and Recreation Per Capita Grant Program
43. Memorandum of Understanding to provide, along with regional partners, in-kind staff services as local match to California Department of Transportation Partnership Planning grant to conduct Fresno-Madera Metropolitan Freeway/Interchange Deficiency Study